The A. F. of L. Weekly News Service gives a brief summary of important matters affecting labor, occurring in the industrial, legislative and judicial fields, and such other information that will benefit the trade union movement.

AMERICAN FEDERATION OF LABOR

WEEKLY NEWS SERVICE

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Truth is stranger than fiction. It doesn't come around as often.

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FINANCIERS "PLAY FAVORITES" ON RIGHT TO STRIKE

Would the United States Supreme Court declare the proposed cotton strike illegal?

In upholding the Kansas anti-strike law, the court has just ruled:

"The right to carry on business—be it called liberty or property—has value. To interfere with this right, without just cause, is unlawful."

The court let it be understood that the judiciary shall pass on the legality of such acts. The employes' right to cease work is not considered. The court asks: Will it interfere with business?

If a textile manufacturer asked a court for an injunction against the proposed cotton planters' strike, what would happen?

This manufacturer could show that the cotton growers have agreed to plant less cotton next year and that increased prices will injure his business.

Would the court order the cotton planters to grow a 100 per cent acreage? Would they be told that their collective resolve to do less work is a conspiracy in restraint of trade?

Government representatives, bankers and business men favor the cotton strike. Financial aid will be given every striker and credit will be withheld from the "free and independent" who plants a 100 per cent acreage.

The Wall Street Journal favors the work suspension and jeers at the cotton growers for former failures to stand together.

Listen to this oracle of finance that always opposes wage workers' strikes:

"In fact, he (the cotton farmer) was disloyal to his class and he has always been undependable in agreements of that kind. Nothing but the plainest of coercion from his local bankers will induce him to restrict his ill-fated single crop."

The cotton strike is justifiable, but wherein does that movement differ from like efforts of workers to increase their purchasing power or to shorten hours in those industries that dare not operate full time because of improved machinery?

Does it make a difference when bankers and business men hold mortgages whose interest can't be paid if cotton prices are low?

Ship Owners Are Opposing Plan To Stop Entry Of Alien Seamen

Washington, Oct. 30.—Registration of aliens will again be urged in the next congress, which convenes the first Monday in December. Advocates of this system are presenting an additional argument for its adoption—that it will check the admission of alien seamen who desert their ships in American ports.

"Registration of aliens will prove ineffective unless every person in this country is registered," said Andrew Furuseth, president of the International Seamen's Union.

"If only aliens were registered, hundreds of thousands of native-born citizens who speak with a foreign accent would be under the surveillance of government officials. Their only protection from annoyance and intimidation would be registration. Other native-born citizens, who have lost proof of their birthplace, would also have to be registered for self-protection. Eventually our entire population would live under the European system of espionage.

"Organized seamen," continued Mr. Furuseth, "have a solution for the influx of undesirable aliens. The King bill, pending in the senate, provides that every alien seaman arriving at an American port shall be examined to determine whether he is a bona fide seaman. If not, such incompetent shall be considered an immigrant and be deported as a passenger on some other vessel and at the expense of the vessel that brought him in.

"Vessels leaving an American port shall be required to carry a crew equal in number to the crew they arrived with. No vessel shall enter an American port with any alien seaman who would be debarred from admission to the United States as an immigrant unless he comes into port on a vessel in distress or was born in the country which flag the vessel carries, as distinct from being born in a colony, dependency or mandate.

"The King bill further provides that a Japanese vessel, for instance, may enter with a crew of Japanese, but not with Koreans, Lascars, Chinese or other nationals. This means that a Japanese vessel may come with Japanese seamen, as an English vessel may come with European seamen.

"It is significant that those who talk of stopping the bootlegging of seamen make no mention of the King bill.

"Coolie-employing vessel owners are a unit against the King bill. Their reason is apparent."

AN UNFINISHED TALE

The Pennsylvania Railroad management states that it has "acceded to the demands" of its shop crafts for a wage increase of 3 cents an hour.

To complete the story, these anti-union officials should announce:

"The trade union shop men on the New York Central and the Baltimore & Ohio Railroads recently secured this increase. Our spy system reported that the members of our company 'union' were restless, and discussion on the value of trade unionism was general. Fearing that our company 'union' would collapse if we ignored this condition, we considered it wise to trail behind organized labor.

"When other anti-union employers are confronted with similar conditions we suggest that they, likewise, 'accede to the demands' of their hand-picked 'union.'

"Always let the trade unions make the fight for better conditions. If they lose, you can reduce wages. If they win, and it is necessary to allay unrest, as in our present case, it is best to meet the new standards.

"A good publicity agent will aid you in tricking employes into the belief that there is no difference between a trade union and your company 'union'."

BRITISH COAL MINERS WAGING HEROIC FIGHT

London, England, Oct. 30.—The government's alleged hands-off policy in the coal lockout has failed, and the question will again be before parliament when that body is asked to continue the government's emergency powers. With colder weather the six-months' shut-down endangers the people's health.

After complying with the coal owners' request that the mining law be extended from seven to eight hours, restricting poor relief to dependents and urging miners to accept district agreements, the government professed a "neutral" policy. The expected collapse of the miners' resistance has failed to materialize and the workers' grim determination compels a new estimate of their power to stand against destitution.

Miners' officials acknowledge that hunger has driven some of these unionists back to work, but this movement has been checked. In several localities miners have again walked out, following appeals by their executives and associates. The powerful districts of South Wales, Yorkshire and Durham are holding their lines and refuse to compromise.

Last week the government, for the first time, took open action against miners' officials when they proclaimed a strike meeting in Shrewsbury "an unlawful assemblage." Police paraded to stop the meeting.

ROADS AND DEALERS IN COAL COMBINE

New York, Oct. 30.—To investigate the charge of Attorney General Ottinger that a combination sets coal prices in this city, Supreme Court Justice Tierney appointed a referee to hold hearings. Three railroads—the Lehigh Valley, the Erie and the Lackawanna—and 16 of the largest coal-distributing companies were named as parties in the combine.

The petition states that retailers are compelled to accept the standard price before they are supplied coal.

PUBLIC IS FILCHED IN PAINT MATERIAL

Lafayette, Ind., Oct. 30.—"Skinning" painting contractors have aroused the wrath of Charles L. Lamb, editor of the Painter and Decorator.

"Our members should co-operate in exposing this type of business man," the labor editor writes.

"It is unfortunate that the public, who buys painting service, is not aware that a skilled craftsman feels much repugnance toward a boss who engages in skimping on work. This is beyond the control of journeymen. The practice goes merrily on with the result that in too many instances the man who can do good work is compelled to brush on inferior materials and have behind a job which is justly criticised. This sort of work by contractors must be stopped, otherwise our craftsmanship will suffer. This hurts the trade and discourages men from following the vocation of painting."

COLORED GIRLS AIDED BY CHICAGO UNIONISTS

Chicago, Oct. 30.—President Fitzpatrick and other officers of the Federation of Labor are aiding colored girls to win low wages at a date and fig factory here. Due to a strike, beginners they were paid $4 to $5 a week. After one year, they may make $9 a week. There is no dressing room and work and sanitary conditions are bad.

The girls have been organized and the trade unionists are directing them how to conduct their fight for better conditions.

INDICTS LODGE INSURANCE

Harrisburg, Pa., Oct. 30.—The State Insurance Commissioner has called on the fraternal organizations with headquarters in various states to show cause why their Pennsylvania licenses should not be revoked.

The commissioner stated that some of the societies appeared to be operating "principally for the benefit of the organizers, officers and coasters" in expense of administration of certain organizations, it was stated, ran as high as 72 per cent of premiums collected.

URGE EARLY CLOSING

Chicago, Oct. 30.—Meat Cutters' Union No. 546, the largest organization of its kind in the United States, is urging early closing of meat markets on Saturday. More than 6,000 markets in this city are affected.

UNIONISTS URGED TO AID STRIKERS

Washington, Oct. 30.—An appeal for financial aid to striking textile workers in Passaic, N. J., and Willimantic, Conn., has been issued by the A. F. of L. executive council.

Both groups of strikers are affiliated to the United Textile Workers of America, a unit of the A. F. of L.

All international and national unions, state and central bodies and local unions, as well as individual members, are asked to contribute as generously and as promptly as circumstances will permit. The contributions may be forwarded to Frank Morrison, secretary A. F. of L., Washington.

STATE CONTROLS MAN S FASCIST THEORY

New York, Oct. 30.—"Liberty is a concession of the state, due the citizen and classes only on condition they exercise it in the interests of the state."

This subordination of the individual to the state underlies the Fascist philosophy, according to a translation of an address given at Perugia, Italy, by Alfred Rocco, minister of justice in the Fascist government. Professor Dino Biongiari of Columbia University, made the translation.

"Under Fascism individual rights are only recognized in so far as they are implied in the rights of the state," said Signor Rocco.

The Fascist concept of liberty, he continued, is that the individual must be permitted to develop his personality in behalf of the state. As with the Prussian ideal, liberty is a concession of the state. It is not inherent in man. The state is all in all.

Fascism challenges the democratic ideal that man is endowed with certain inalienable rights. Instead, the state accords him privileges that he must use for the benefit of the state.

RENEWS PRIMARY ATTACK

Chicago, Oct. 30.—Vice President Dawes renewed his attack on the primary election system in an address in this city.

PRESIDENT GIVEN WIDE POWERS; MAY DISMISS OFFICIALS AT WILL

Washington, Oct. 30.—By a vote of 6 to 3 the United States Supreme Court has set aside a law passed by Congress in 1876 which provides for the removal of postmasters "by and with the advice and consent of the Senate." The decision invalidates other statutes which are intended to curtail the power of the president to arbitrarily remove officials whom he has appointed "by and with the advice and consent of the Senate."

Justices Brandeis, Holmes and McReynolds dissented. The latter said that the majority opinion is "revolutionary."

It is claimed that members of the Interstate Commerce Commission, the Federal Trade Commission, the Federal Trade Commission, postmasters and other presidential appointees who have been approved by the Senate can now be removed at the whim of a chief executive. Civil service employes are not involved.

Justice McReynolds said: "The serious evils which followed the practice of dismissing civil officers on account or interest dictated, long permitted under congressional enactments, are known to all. It brought the public service to a low estate and caused insistent demand for reform. The long struggle for civil service reform and the legislation designed to insure some security of official tenure ought not to be forgotten.

"This court, as early as 1803, in an opinion never overruled, positively declared that the president had no power to remove at will an inferior officer appointed with consent of the Senate to serve for a definite term fixed by act of Congress."

Justice Brandeis said the power to remove a subordinate official "is not a power inherent in a chief executive."

Answering the claim that the president should have this power "to enforce the law," Justice Holmes said: "That seems to me a spider's web inadequate to control the dominate facts."

The decision arms the chief executive with sweeping powers.

Defenders of the decision claim it will "centralize authority" and aid in the enforcement of law. Opponents say it gives the president a free hand and permits him, if so inclined, to fill every important commission and bureau head with those amenable to his will. The issue is as old as our government, and will cause a sensational fight in Congress.

DEFECTIVE EQUIPMENT BLAMED FOR RAIL WRECK

New York, Oct. 30.—The Long Island Railroad was criticised by the Suffolk county grand jury for a wreck at Calverton on August 13, in which six persons were killed and 20 injured. The railroad was condemned for lack of inspectors and for the use of obsolete switches.

Interstate Commerce Commission representatives had previously reported that the contributing cause of the wreck was a defective switch which is supposed to be about 40 years old."

PHENOMINAL GAIN MADE BY BARBERS

Detroit, Mich., Oct. 30.—While the Chamber of Commerce roars at the disapproval of collective bargaining, the Barbers' Union reports that 600 shops have signed their agreement since their organization campaign started.

Last year the barbers had 40 shop agreements.

DAUGHERTY'S SECRET PROTECTED BY COURT

New York, Oct. 30.—The rule that an accused man may refuse to testify at his trial aided Harry Daugherty, former attorney general, and Thomas A. Allen, former alien property custodian, to escape conviction on conspiracy charges in connection with alien property held by the government.

"Under this law any prosecutor who refers in the jury's hearing to the defendant's failure to testify risks having his case instantly thrown out of court," the New York World said. "Any judge who adverts to the fact upsets the case.

"It was under the lee of these laws that Mason Daugherty and Miller brazenly took refuge. Who doubts that innocent men could have demonstrated the fact and falsity of everything by five minutes' testimony? Bonds from Richard Merton had been traced to Miller's control. They had been traced to Daugherty's bank and to either his, his brother's or Jess Smith's account. Facing these facts, a man of honor would have taken the stand at once. He would not have rested till he had explained them. These men kept silent—yet the jury could not give the least weight to their damning evasion.

"The British rule is more sensible. It permits the judge—not the prosecutor—to call the jury's attention to a failure to testify. No judge, in a case like that of Miller and Daugherty, would have failed to instruct the jury that silence, under the circumstances, came dangerously near confession."

PRIVATE CAPITALISTS TO MANAGE AIR MAIL

Washington, Oct. 30.—Postmaster General New asks for bids on the transcontinental and the overnight New York-Chicago air mail services, which have been developed and maintained by the post office department. It is hoped that the successful bidder will be prepared to transport passengers and express.

"It has never been the intention of the post office department to continue permanently the operation of the air mail service," Mr. New said. "It was planned merely to develop it to a point where its feasibility and practicability could be demonstrated and then, as soon as commercial flying companies became strong enough to handle such an enterprise, to relinquish the fruits of the department's pioneering. It is felt that the work of the department in this direction has pushed commercial flying in America several years ahead."

KANSAS ANTI-STRIKE LAW IS UPHELD

Most Orderly Work Suspension May Be Unlawful, Says High Court

Washington, Oct. 30.—A strike to collect back pay is illegal, says the United States Supreme Court in upholding the anti-strike section of the Court of Industrial Relations act of Kansas. The supreme court indicated that the judiciary has the right to pass judgment on the legality of a strike, however orderly it may be conducted. The theory that a group of workers may peacefully cease employment for any reason or no reason is ignored.

"Neither the common law nor the Fourteenth Amendment (to the Federal Constitution) confer the absolute right to strike," said Associate Justice Brandies. He said the workers should sue for wages in civil courts and their strike interfered with business.

Certain Kansas miners employed by the George H. Mackie Fuel Company ignored an injunction and suspended work to enforce a wage payment to one of its members. An official of the miners was arrested and sentenced to fine and imprisonment under the Court of Industrial Relations act. The Kansas State Supreme Court affirmed the judgment, which is now upheld by the United States Supreme Court.

"The right to carry on business—be it called liberty or property—has value," said Justice Brandeis. "To interfere with this right without just cause is unlawful." The fact that the injury was inflicted by a strike is unimportant. Destruction, but a strike may be illegal because of its purpose, however orderly the manner in which it is conducted. To collect a stale claim due to a fellow member of the union who was formerly employed in the business is not a permissible purpose.

"To enforce payment by a strike is clearly coercion. The legislature may make such action punishable criminally, as extortion or otherwise. And it may subject to punishment him who uses the power or influence incident to his office in a union to order a strike. Neither the common law nor the Fourteenth Amendment confers the absolute right to strike."

As the Kansas law now stands, it is illegal for the Court of Industrial Relations to set prices that business men should charge and courts can set in judgment on a strike. As far as business is affected, courts have taken the teeth out of the law.

In April, last year, the supreme court set aside an order by the industrial court that the Charles Wolff Packing Company pay certain wages on the ground that its operation is affected with the public interest. The supreme court distinguished between a quasi-public corporation, such as a railroad, and a private manufacturer or shop keeper.

"Such a system," the supreme court said, "infringes the liberty of contract and rights of property guaranteed by the due process of law clause of the Fourteenth Amendment."

The Kansas law was passed in January, 1920, following the miners' general strike a few months previous. Governor Allen called a special session of the state legislature to pass the act. Later he defended this statute in a joint debate with the late Samuel Gompers in New York City and made similar speeches throughout the country. He was urged as a Presidential nominee in 1921 because of his "solution" of the strike question.

The law is no longer feared by business.

NEW TRIAL DENIED TO SACCO, VANZETTI

Dedham, Mass., Oct. 30.—Superior Court Judge Thayer refused to grant a new trial to Nicola Sacco and Bartolomeo Vanzetti, convicted of the murder of a paymaster and a guard at South Braintree in 1920.

The motion for a new trial was the latest of a series of defense moves by attorneys for the accused during the past six years, and was based on the confession of Celestino Madeiros, a condemned murderer, who swore that he was present when the paymaster and the guard were killed. Madeiros is awaiting execution for another murder and was reprieved by the governor that he might testify if a new trial was granted Sacco and Vanzetti.

Judge Thayer refused to give credence to Madeiros' statement. He could also refused to consider affidavits by two former secret service men that the department of justice had used such officials in making a case against Sacco and Vanzetti because they are radicals.

The court said these affidavits would not warrant him in finding "a fraudulent conspiracy" between the federal government and the state. The court called attention to an affidavit of Chief of Police Stewart, who testified that the secret service agents had nothing to do with preparing the cases for trial "as far as he knows."

The defense presented elaborate alibis at their trial, and they have insisted that they are victims of a frame-up. The A. F. of L. has repeatedly favored a new trial for the accused. Judge Thayer's decision will be appealed.

It is believed that Judge Thayer's long decision, which is a record for criminal courts in this state, will aid the defense on appeal. Some portions of the decision borders on the sensational. Attorney Thompson for the defense, who is classed among the leading members of the Massachusetts bar, is described "as the incurable victim of a new type of disease that might be termed logo-psychic neurosis, which means a belief in the existence of something which in fact and in truth has no existence."

COAL MINERS STRIKE

Fairmont, W. Va., Oct. 30.—Coal miners in the Scotts Run field are responding to the work-suspension call of the United Mine Workers of America. The strikers are not securing a decent living wage from the anti-union and many coal operators agree that injury to all follows their cut-throat policy.

NEW WORLD COPPER TRUST HAS BLACKLIST PLAN

New York, Oct. 30.—A blacklist features the newly-formed international copper trust that includes 18 American and 15 foreign corporations. No one can buy copper without approval by representatives of the trust in New York and Brussels. This will make it impossible for outsiders to "corner" the market or control prices that will be set by the two committees. Copper buyers will be at the mercy of the combine, which will divide the world's business. Competition will be eliminated and production will be based on market needs.

American copper magnates evade the Sherman anti-trust law by taking advantage of the Webb-Pomerene act, which permits combination where a corporation does export business. The copper combine has been approved by the Federal Trade Commission.

According to London cable press dispatches, British economists claim that the new combine is another indication of world-wide trusts which will make tariff barriers ineffective, destroy international competition and be beyond the reach of all national laws.

WHY UNIONS ARE OPPOSED

In its report on "Employment Relations," a committee of the National Association of Manufacturers says:

"Some of the working people of this country FOLLOW THEIR NATURAL LEADERS, THE OWNERS AND MANAGERS OF INDUSTRY. Others find their leadership where they can."

Here is a concise statement of the kingly ideal. No feudal baron nor slave holder has presented more clearly and frankly the claim that workers must accept the standards and outlook of life of employers.

"Their natural leaders, the owners and managers of industry" is a sinister statement.

Is it any wonder these industrialist royalists oppose trade unions and their democratic ideals?

ONE ISSUE INVOLVED IN WESTERN STRIKE

San Francisco, Oct. 30.—In a public statement the Bay Counties District Council of Carpenters declare that collective bargaining is the one and only issue in their strike that started April 1 last. The anti-union Industrial Association is attempting to confuse the public by the claim that "a few leaders" are responsible for the strike.

The carpenters publish official records to show that every effort was made by them to avert the strike, which the unionists insist on individual bargaining. The Industrial Association is spokesman for anti-union contractors. Many material men are dominated by the association and contractors who employ trade unionists must secure supplies. The association dictates non-union wages and tells these employes how and when they may work.

The Carpenters' union maintains three building plants and fleets of motor trucks to supply material to contractors who refuse to accept anti-union dictation and non-union employes.

LABOR'S LESS-HOUR PLAN IS SANELY DISCUSSED

New York, Oct. 30.—Out of all the discussion of labor's shorter-work day proposal, the Iron Age seems to be one of the few newspapers that understands the workers' plan to reduce hours as production methods develop.

Practically all opponents of shorter hours claim organized labor favors an arbitrary enforcement of the five-day week and seven-hour day.

"Coming down to things of every-day observation," says the Iron Age, "no one would suggest that the railroads, farms and retail shops of the country could be operated on a five-day basis unless we give us the service we must have. It is probable, on the other hand, that there are many overbuilt and overmanned manufacturing industries that could be operated on reduced time. It is simply a question whether part of their capacity shall be used full time or their whole capacity part time."

RAIL RATES UNFAIR

Columbus, Ohio, Oct. 30.—Governor Vic Donahey has asked the governors of five northwestern states to join with Ohio in securing lower freight rates on coal from this state.

"The northwestern states secure their coal supply through Great Lakes' shipments from Ohio ports, but the Interstate Commerce Commission allows lower freight rates for West Virginia, Kentucky and Tennessee coal that is mined under non-union conditions. This coal is south of Ohio, and must be shipped through Ohio to reach Great Lakes ports.

LESS WORKING HOURS IS LOGICAL

By WILLIAM GREEN
President American Federation of Labor

This is a day of standardization, a day of specialization and of mass production. We are adjusting ourselves to the new, and as we look upon a modern factory with its mass production we realize that we, vitally affected by all of this, must point the way by which we can adjust ourselves to the new industrial order.

What are we going to do about it? American labor suggests that as the productivity of the individual worker is increased, and as his efficiency is raised higher and higher through the operation of these economic forces, his wages, first of all, must increase in proportion with his productivity and his efficiency.

Second, there must be a progressive reduction in the hours of labor, so that industry and men and women may adjust themselves to the change that is taking place.

If we are to do the work of the world in this way, there must be opportunity for leisure on the part of workers. There is involved in this more than material progress, for after all working people do have human beings. Working people must have opportunity for cultural and spiritual development, they must have opportunity to enlarge their vision and live. That implies a great deal.

"How can the cultural life, how can the spiritual life, be promoted to that degree which the Great Creator intended if the body is to be given to ceaseless toil in the whirl and rush and strain of a modern factory?

We have established the shorter work week in many industries. It is growing.

We want to extend it, not in a revolutionary manner, because we realize that that can not be done. It must be extended in a progressive way, as industry is prepared to extend it and the workers are prepared to use it and accept it. In that practical, progressive way we can bring about the acceptance of the wage and shorter-hours' philosophy of the American Federation of Labor."

BREAD TRUST FIXERS DUPE FEDERAL COURT

Chicago, Oct. 30.—Officers of the Bakery and Confectionery Workers' International Union of America will continue their publicity of the anti-union Ward Baking Company and the methods used by members of this trust and the Department of Justice in duping the federal district court of Baltimore.

The unionists will be aided by the American Federation of Labor and the attention of congress will be called to what a minority of the Federal Trade Commission has termed "collusion."

This collusion, the Ward interests show, permitted the Ward interests to escape punishment for their attempt to control the nation's bread supply, and made it possible for the Continental Baking Corporation, which in itself is large enough to dominate the industry, to be excluded from court proceedings.

The deal was made on April 1 last at a secret meeting of the attorney general, attorneys for the Federal Trade Commission and the bread trust. A "consent decree" was agreed to and two days later it was submitted to the Baltimore federal court. The decree alleged that pending court charges against the trust should exclude the Continental Baking Corporation, as similar charges against that organization were before the Federal Trade Commission. The court dismissed the Continental charges, unaware that the commission had dismissed its charges in the belief that the trust had submitted the attorney general by special messenger.

This is thaid to the court that the trade unionists will urge congress to investigate.

ALIEN LAND LAW STANDS

Washington, Oct. 30.—The United States Supreme Court dismissed the appeal of S. Nose, a Japanese, to test the constitutionality of the California initiative alien land act. The plaintiff was convicted of having entered into a contract with Mr. T. Sugiyama, an agricultural labor in Los Angeles county.

Under the California act it is unlawful for any person ineligible to citizenship to own or lease land.

COTTON GROWERS ANGRY

Phoenix, Ariz., Oct. 30.—Checked in their attempt to import Porto Ricans into Arizona, and let them live in the open fields, the Cotton Growers Association is blaming organized labor for the expose of this scheme.

PRINTERS RAISE WAGES

Canton, Ohio, Oct. 30.—A three-year contract, with substantial wage increase, has been secured by local newspaper printers.